

MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM, VILLAGE HALL, ON WEDNESDAY, DECEMBER 1, 1999.

Members Present: Peter Lilienfield, Chairman
William Hoffman
Jay Jenkins, Secretary
Allen Morris
Patrick Natarelli

Also Present: Kevin J. Plunkett & Lino J. Sciarretta, Village Counsel
Brenda Livingston & Joseph Elliott, Ad Hoc Planning
Board Members
Richard Fon, Building Inspector
Florence Costello, Planning Board Clerk
Applicants and other persons mentioned in these Minutes
Members of the Public.

IPB Matters

Considered: **94-03 -- Westwood Development Associates, Inc.**
Sht.10,P25J2,25K2,Sht.10C,B1.226,Lots 25A,26A
98-44 -- Ciccio & Chernick
Sht. 10C, Bl. 226, Lot 25
99-27 -- Jeffrey Link (Amendment)
Sht. 13B, P-98
99-31 -- Danfor Realty Co. (Fatato Subdivision)
Sht. 13B, P5, P5C
99-33 -- Mackie & Martucci Subdivision
Sht. 2, P-109P12
99-55 -- SAB Development Corp.
Sht. 7, Lot(s) 3 & 4

The Chairman called the meeting to order at 8:00 p.m.

Administrative:

1. With reference to a Local Law adopted by the Village Board prohibiting the Board from considering any application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees.
2. The Chairman confirmed the resignation of Patrick J. Gilmartin as Chairman of the Board and the appointment of Jay Jenkins to the Board.

IPB Matter #99-33

Application of Robert & Katherine Mackie and Katherine Martucci for Subdivision of property North of Bridge Street.

Norman Sheer, Esq., appeared for the Applicant. This application for subdivision of a two acre vacant parcel of land on the north side of Bridge Street had been carried over from the October 6, 1999 meeting. The Chairman indicated receipt of a letter from Richard Fon, Village Building Inspector, dated November 23, 1999 to the Applicants in which he indicated that the application was premature as it did not meet the frontage requirements of the Village Code; therefore the application was de facto denied. Village Counsel Kevin Plunkett reported that in discussions with Mr. Sheer subsequent to the November 3, 1999 meeting, Applicant had agreed to submit an application to the Zoning Board with respect to frontage requirements and, accordingly, the Board did not hold a public hearing on the Applicant's application.

IPB Matter #98-44:

Application of Joseph & Denise Ciccio and Mitchell & Sheri Chernick for subdivision of property at Riverview Road.

Norman Sheer, Esq. appeared for the Applicant. The Board confirmed that consideration of this Application be deferred until further progress is made on the Westwood Application. Accordingly, there was no public comment, and the Application was carried over to the January 5, 2000 meeting.

IPB Matter #99-31:

Application of Danfor Realty for Subdivision of property (Fatato) at Harriman Road between Shady Lane and Park Road.

Village Counsel Kevin Plunkett reported that the opinion of counsel received from Gary Ajello, Esq., on behalf of the Applicant was insufficient to resolve several legal issues, including, without limitation, that the corporations comprising ownership had duly authorized the Application and that they had the corporate power to effect the proposed conveyance. Village Counsel intends to speak with Mr. Ajello to try to resolve these matters. Accordingly, the Board took no further action on the Application. A letter dated December 1, 1999 from Lewis B. Shradley and Robert E. Dailey, residents of Shady Lane, was accepted into the record.

IPB Matter #99-27:

Application of Jeffrey Link for Amendment of Plan as to which Waiver was previously granted, at 28 Lewis Road.

Mr. Padraic Steinschneider appeared for the Applicant. The Board had previously waived all requirements for Site Development Plan Approval at its meeting on June 2, 1999. Applicant presented evidence of required Notice to Affected Property Owners. The Amendment relates only to site work, including modifications to the existing driveway, removal

of stone steps to the existing driveway and creation of a new set of stone steps to connect the existing driveway area to the entry level at the first floor of the house. The Chairman, with the Board's concurrence, indicated that the matter would be a Type II action. After discussion, during which the Applicant agreed to take appropriate steps to protect existing trees and to extend a silt fence on the property, the Board (noting that no engineering concerns had been raised), requested comments from the public, and there were none.

After further discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction, as amended, continues to meet conditions which permit Site Development Plan Approval to be waived, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan Approval for the Amendment to this Application subject to (1) appropriate steps being taken to protect existing trees and (2) extension of silt fence.

IPB Matter #99-55:

**Application of SAB Development Corp., for
Site Development Plan Approval for property
at Padwee Lane, Lot 3 & 4.**

Andrew Saines, Builder, appeared for himself. This Application had been carried over from the November 3, 1999 meeting when new, complete and accurate drawings were requested. The Board found the new drawings continue to be deficient in respect of setback measurements and errors in the topography lines which affect the assessment of the drainage; the discussion was carried over to the January 5, 2000 meeting.

IPB Matter #94-03:

**Application of Westwood Development
Associates, Inc., for Limited Site Development
Plan Approval for property at Broadway,
Riverview Road and Mountain Road.**

Padraic Steinschneider and Charles Pateman appeared for the Applicant. The Board confirmed that a Special Meeting was scheduled for December 8, 1999 for a Public Hearing on Preliminary Subdivision Layout and Limited Site Plan approval. The Chairman requested that a listing of the current documents forming the application be provided to the Board at that meeting. Accordingly, there was no discussion of the Application.

The Board then considered the following administrative matters:

- Minutes of the Planning Board held on November 3, 1999, previously distributed, were on motion duly made and seconded, approved.

- The next regular meeting of the Planning Board was scheduled for January 5, 2000, and a Special Meeting to discuss Westwood Development was scheduled for December 8, 1999.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jay Jenkins, Secretary